

**AMENDMENTS TO THE DRAWINGS**

Fig. 1 was amended to correct a reference numbering error. Load Balancer 14 should have been numbered 20.

Attached:      Replacement Drawing Sheet  
                 Annotated Drawing Sheet

## **REMARKS/ARGUMENTS**

The applicant would like to acknowledge, with thanks, the Office Action that was mailed on March 23, 2007. Accordingly, this amendment is presented with accompanying remarks responsive to the March 23, 2007 Office Action. Claims 1-13 were pending. Claims 1-13 were canceled. Claims 14-24 have been added and are now pending. The element in claim 14 that the control implementation varies the operation of either a client or an access point to acquire the maximum signal strength for each client to access point is not new matter as it is disclosed on page 4, lines 20-22 of the original specification. The elements of varying the operation of the access point or wireless client to acquire one of minimal multipath, minimal signal interference, minimum packet loss, minimum packet error rate, and maximum transfer rate in claim 17 is not new matter as it is disclosed in the original specification at page 4 line 22 – page 5, line 3. The elements of changing operating frequency, steering antenna coverage area and steering antenna polarization for at least one access point as recited in new claim 24 is not new matter as it is recited on page 5, lines 14-19 of the original specification. Therefore, reconsideration of the application as currently amended is requested for reasons that will now be set forth.

Claims 7-11 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written enablement requirement. For example, the examiner recites that claim 7 claims the building of ‘a database of control vectors,’ which is only briefly mentioned in the specification; hence one skilled in the art would be unable to make the invention without undue experimentation. Withdrawal of this rejection is requested as these claims have been canceled and new claims 14-24 do not contain this element.

Claims 1-6, 12 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Cromer et al (US 2004/0001467, *hereinafter* Cromer). Withdrawal of this rejection is requested because these claims have been canceled. For reasons that will now be set forth, new claims 14- are not anticipated by Cromer.

Independent claim 14 recites an apparatus comprising a tracking implementation for tracking the signal strength of each wireless client’s wireless link with each respective access point, and a control implementation for varying the operation of either the access point or wireless client so as to acquire maximum signal strength for each wireless client’s link with each respective access point.

Independent claim 17 recites an apparatus comprising a tracking implementation for tracking a link quality parameter selected from a group consisting of multipath, signal interference, packet loss, signal quality, transfer rate and packet loss for each link between a wireless client and an access point for a plurality of wireless clients in communication with a plurality of access points. The apparatus further comprises a goal implementation for comparing the link quality parameter with a desired value to obtain a fitness measure. The apparatus also comprises a control implementation for varying the operation of at least one of the plurality of wireless access points and plurality of wireless clients in response to the fitness measure, so as to acquire one of a group consisting of minimal multipath, minimal signal interference, minimal packet loss, minimal packet error rate and maximum transfer rate for each link between a wireless client and an access point for a plurality of wireless clients in communication with a plurality of access points. Claim 24, which depends from claim 17 recites the control is selected from a group consisting of change frequency, directionally steer an antenna and steer antenna polarization for at least one of the plurality of access points.

By contrast, Cromer discloses a technique where an access point monitors average bandwidth and forces clients to roam to other access points if the aggregated bandwidth of all the clients associated with the access point exceeds a threshold. Cromer only tracks the IP address, signal strength and bandwidth of each client (see Fig. 5; ¶ 38). Cromer's only control function is to force a client to roam to another access point if the aggregated bandwidth of all the clients associated with the access point exceeds a threshold. Thus, Cromer does not disclose varying the operation of either an access point or client to acquire maximum signal strength for each wireless client's link as recited in claim 14. Nor does Cromer disclose varying the operation of at least one of the plurality of wireless access points and plurality of wireless clients in response to the fitness measure, so as to acquire one of a group consisting of minimal multipath, minimal signal interference, minimal packet loss, minimal packet error rate and maximum transfer rate for each link between a wireless client and an access point for a plurality of wireless clients in communication with a plurality of access points as recited in claim 17. Furthermore, Cromer does not disclose the control is selected from a group consisting of change frequency, directionally steer an antenna and steer antenna polarization for at least one of the plurality of access points as recited in claim 24.

Claims 15-16 directly depend from claim 14 and therefore contain each and every element of claim 14. Claims 18-24 directly depend from claim 17 and therefore contain each and every element of claim 17. Thus, claims 15-16 and 18-24 are not anticipated for the reasons already set forth for claims 14 and 17, respectively.

## CONCLUSION

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255/32775.

Respectfully submitted,

Date: May 9, 2007

  
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